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Written statement* submitted by the Amuta for NGO Responsibility, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

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* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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European Neighborhood Policy in Israel Report Reflects Flawed EU Policy Process

On March 25, 2015, the European External Action Service released a progress report on the European Neighborhood Policy vis-à-vis Israel in 2014.

In contrast to previous years, the 2014 ENP Report shows improvement with regards to the overly simplistic, homogenous perception of minorities in Israel contained in previous ENP updates. The EU also provided a more proportionate discussion of the complexities of the Israeli environment in dealing with EU-related issues.

These changes, however, are overshadowed by endemic problems in EU policy formulation as it relates to Israel that continue to appear in the ENP, and almost all other EU reports and policy efforts. These flawed approaches contribute to a distorted and often demonizing picture of Israel and leads to critical weaknesses in the EU's assessment and understanding of Israeli society. Moreover, they reflect a double standard applied only to Israel and to no other country in the European neighborhood's Mediterranean Partnership.

1. EU reliance on claims of fringe political advocacy NGOs: The EU's policy making process reflects continuing dependence on material provided by a narrow group of political advocacy NGOs, often funded by the EU and European governments, resulting in a distorted approach and affecting the report's content and credibility. By simultaneously receiving funding and serving as consultants for the EU, NGOs exert a pronounced influence on EU policies. The ENP Reports for Israel rely heavily on NGOs statements, without verifying claims, checking sources, or consulting with other parties. The narratives of these NGOs and their unverified allegations should not be repeated without independent confirmation nor substituted in place of data provided by official sources.

2. Disproportionate focus on the Arab Muslim minority, to the exclusion of other ethnic and religious groups: Reports neglect the challenges and complexities of Israel's broad diversity, and misrepresent the economic, social, and cultural situation in Israeli minority communities. Reports focus mainly on Israel's Muslim Arabs, to the exclusion of other ethnic and religious minorities (Christians, Ethiopians, Circassim, Druze, ultra-Orthodox Jews, Baha'i, etc…).

3. Disproportionate focus on the Arab-Israeli conflict: NGO submissions and statements encourage the EU to focus disproportionately on Israel's relations with the Palestinians, distracting from the assessment of Israel's bilateral relations with Europe.

4. Different standards applied to Israel: Reports show a remarkable inconsistency in terms of human rights norms construal and application with respect to other countries.

The following brief analysis examines how the flawed EU approach manifests itself in the ENP report.

Omissions in the 2014 ENP Report

On the 2014 Gaza conflict

- The ENP report notes that there was "indiscriminate rocket fire from the Gaza Strip," but notably omits the wider context of the 2014 Gaza conflict, such as years of incessant rocket fire at civilians in Southern Israel and the infiltration tunnels leading from Gaza into Israel. There is no mention of Hamas' repeated grave violations of international law, including the use of UNRWA schools and facilities as weapons depots, launching pads, and other military activities, which are essential factors for understanding the reported "shelling of several schools of [UNRWA]."

- Reflecting a lack of independent research and verification mechanisms, the EU repeats claims of "over 2100 [deaths] on the Palestinian side, of which 70% were civilian according to the United Nations (UN)," and

acknowledging that "the Israeli Defense Forces (IDF) claimed that no more than 55% of the dead were civilians." It fails to mention that the figure of "70% civilians" originated with Hamas officials in Gaza, repeated by NGOs and UN-OCHA, and refuted in detail in research by the Meir Amit Intelligence and Terrorism Information Center.

- The ENP report notes Israel's refusal "to cooperate with the UNHRC Commission of Inquiry, heavily criticizing committee chairman William Schabas." However, the text omits the EU's own accurate criticism: the common EU statement to the UNHRC described the inquiry as having "prejudged the findings even before it was formed" and the UN resolution establishing it as "unbalanced." Many political advocacy NGOs, some of which are directly and indirectly funded by European governments, were active in lobbying in support of the resolution – against the common EU position.

Religious Freedoms in Israel

- The ENP Report criticized limited access to the Al-Aqsa Mosque in Jerusalem during Ramadan, noting a "90% decrease in Palestinian worshippers at the site." The EU, reflecting the reliance on selective NGO reports, did not mention that Ramadan overlapped with the Gaza conflict and significant violence in Jerusalem, necessitating stronger security measures.

- The ENP Report failed to mention the October 30 attempted assassination and severe wounding of Yehuda Glick, an Israeli who advocates for Jewish prayer rights on the Temple Mount. This example is one of numerous instances where violence against Israelis was ignored or minimized as "violence against settlers," again reflecting dominant NGO biases.

Violence against Israeli civilians

- In discussing "increased tension between Jewish and Arab communities in Israel" and noting that "Even excluding Operation Protective Edge, 2014 saw the highest number of civilian deaths related to violent incidents and terror attacks for many years," the EU provided specific examples of "Price Tag" attacks such as an "anti-Arab graffiti on a mosque in Fureidis." In contrast, there are no specifics on the numerous terror attacks against Israeli targets in 2014 or the perpetrators. Other salient factors, such as widespread incitement to violence in Palestinian society and the PA, are erased.

    - Notably absent was discussion of the November 18 terrorist attack, when two Palestinian men from East Jerusalem entered a synagogue in the Har Nof neighborhood of Jerusalem during morning prayers and attacked the worshippers with axes and firearms. Four worshippers were murdered and eight others wounded; a Druze police officer was also killed.

    - Other attacks against Israeli civilians, such as several attacks near the Jerusalem light rail, and other details were equally ignored.

- The ENP report refers several times to the June 2014 abduction and murder of three Israeli teenagers. However, the report does not identify the perpetrators or their affiliation with Hamas. In contrast, the report notes that "extremist Israelis" were responsible for the horrific revenge murder of an Arab teenager in Jerusalem.

- The EU's discussion of "Violence against settlers" in 2014 is problematic in a number of ways:
    - The section titled "Israel's Responsibilities in the Occupied Territories" is framed by the statement that "Settlements are illegal under international law [and] constitute an obstacle to peace." This context has the effect, if not the intention, of minimizing the significance of violent attacks against these Israeli civilians.
    - OCHA is cited as the primary source for this data. OCHA has no credible methodology and its statistical analyses are unreliable. These basic flaws also highlight the EU's failure to more reliable sources.
    - Not all victims of attacks against Israeli civilians in the West Bank were "settlers," meaning Israelis

who live over the 1949 Armistice line. For instance, one of the victims, a father of five from Modi'in who was traveling to a Passover Seder, was murdered *en route*.

Issues relating to the section on "Israel's Responsibilities in the Occupied Territories"

- Israel is singled out as the only ENP country that has a particular chapter devoted to responsibilities under international law, including other ENP countries involved in territorial disputes and/or armed conflicts. This section, which deviates from the template of ENP Reports for other countries, was added to the 2011 Report on Israel following significant lobbying efforts from highly politicized NGOs, further demonstrating the close dependency relationship between EU policy and these groups.

- The report wrongfully identifies the "continuing Israeli restrictions" and Egypt's closure of the smuggling tunnels, which led to the "economic and physical isolation of the Strip" as the "primary obstacle for long-term economic development" of Gaza. This unsupported opinion does not acknowledge the Hamas violent takeover of Gaza in 2007, the continuous terror coming from Gaza, and the uncontrolled and illegal flow of arms into the Strip.

- The report fails to address Israeli humanitarian commitment during and after the military operations, the "cease-fires" repeatedly violated by Hamas, and the transport of civilians to Israeli hospitals.

- The EU ignores Hamas' exploitation of humanitarian aid and civilian structures for military purposes. Hamas built a network of tunnels beneath the Gaza border with Israel, using humanitarian material meant to assist civilians in Gaza, with the sole objective of carrying out attacks within Israel.

The Amuta for NGO Responsibility strongly recommends that in order for the EU to be seen as a credible player in the peace process and to improve ties with Israel, the EU must start to give careful scrutiny and independent verification to NGO claims, and consult a wider range of civil society organizations when assessing and developing policy. Moreover, it urges the EU to discontinue its practice of simultaneously funding and consulting with fringe NGOs that exert undue influence on EU policy.